

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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AUTOEXPO ENT INC., PEACE PROPERTIES, LLC,
NETWORK REINSURANCE COMPANY INC.,
AUTO EXCHANGE CENTER, LLC, and CHROME
INSURANCE AGENCY LLC,

Plaintiffs,

v.

OMID ELYAHOU, SIMPSOCIAL LLC, FIFTY SEVEN
CONSULTING CORP. d/b/a CERTIFIED AUTO GROUP
a/k/a CERTIFIED PERFORMANCE MOTORS, AVI
EITAN and FAZEEDA KASSIM,

Defendants.

Hon. Orelia E. Merchant
M. J. Steven L. Tiscione

Civil Action No.
2:23-cv-9249

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**DECLARATION OF MATTHEW FEINMAN, ESQ.
IN SUPPORT OF DEFENDANTS AVI EITAN, FIFTY
SEVEN CONSULTING CORP. D/B/A CERTIFIED AUTO GROUP
A/K/A CERTIFIED PERFORMANCE MOTORS AND
FAZEEDA KASSIM'S MOTION TO DISMISS PLAINTIFFS' AMENDED
COMPLAINT PURSUANT TO FED. R. CIV. P. RULE 12(b)(1) AND (6)**

Matthew Feinman, an attorney admitted to practice in this Court declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am associated with the Law Office of Steven Cohn, P.C., attorneys for defendants Avi Eitan, Fifty Seven Consulting Corp. d/b/a Certified Auto Group a/k/a Certified Performance Motors and Fazeeda Kassim (collectively, the "Certified Defendants").

2. I submit this Declaration along with the exhibit listed below and accompanying Memorandum of Law, dated December 5, 2024, in support of the Certified Defendants' motion for an order (i) dismissing the First, Second, Third, Fourth, Sixth, Thirteenth, Seventeenth and Eighteenth, Twentieth and Twenty First Causes of Action of the Amended Complaint, and,

thereby, in the absence of a viable Federal claim, the Complaint in its entirety as against the Certified Defendants, pursuant to Rule 12(b)(1) and (b)(6) of the Federal Rules of Civil Procedure, and (ii) granting the Certified Defendants such other and further relief as may be just, proper and equitable.

3. Submitted herewith is the following exhibits in support of the Certified Defendants' Motion is a true and correct copy of:

Exhibit A: Plaintiffs' Amended Complaint (Dkt. No. 48.)

Dated: December 5, 2024

/s/ Matthew Feinman
MATTHEW FEINMAN